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April 23, 2025

Via ECF

Hon. Daniel J. Stewart
United States Magistrate Judge
United States District Court
445 Broadway, Albany, NY 12207

Re: United States v. Michael Mann, Case No. 1:20-CR-199 (LEK) (DJS)
Progress Report as to Litigation of Third-Party Claims

Dear Judge Stewart:

Ahead of the in-person discovery hearing scheduled for April 25 (dkt. no. 211), I write to provide the following updates:

1. Pioneer Bank will soon file, for the Court's consideration, a Stipulation and Order of Partial Dismissal. If the Court signs this proposed Order, Pioneer Bank would no longer be involved in this litigation, subject to its ability to appeal this Court's prior Orders to the Second Circuit at the appropriate time. *See* Fed. R. Crim. P. 32.2(c)(3) ("If multiple third-party petitions are filed in the same case, an order dismissing or granting one petition is not appealable until rulings are made on all the petitions, unless the court determines that there is no just reason for delay").
2. The Government plans to take depositions of witnesses affiliated with remaining claimant Cachet Financial Services ("Cachet"). Counsel are scheduling these depositions for mid-June, although Cachet's counsel may have a trial in state court that could cause these deposition dates to change.
3. Neither the Government nor Cachet plans to file for summary judgment. Accordingly, the Government and Cachet propose that the Court hold a hearing on Cachet's claim on October 14 and 15. We do not anticipate the hearing lasting longer than two days.

Given this progress, counsel for the parties do not see the need for the in-person discovery hearing scheduled for April 25; the hearing could also be converted to a telephonic hearing. Thank you for your attention to this matter.

Respectfully submitted,

/s/ **Michael Barnett**
Assistant U.S. Attorney